

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THERESA FAITAK,

Plaintiff,

v.

AVAX PROPERTY ASSOCIATES, LLC,
DOUGLASTON REALTY MANAGEMENT
CORPORATION, and METRO MANAGEMENT
DEVELOPMENT, INC., and 59-11 QUEENS
BOULEVARD OWNERS, INC.,

Defendants.
-----X

Case No. 11-CV-06115
(NGG) (CLP)

**NOTICE OF DEPOSITION
OF METRO MANAGEMENT
DEVELOPMENT, INC.**

TO: METRO MANAGEMENT DEVELOPMENT, INC. and its attorneys

Melissa L. Morais
Dianna McCarthy
Winget, Spadafora & Schwartzberg, LLP
45 Broadway
New York, NY 10006
(212) 221-6989
Morais.m@wssl.com
McCarthy.d@wssl.com

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, defendant, Douglaston Realty Management Corp. will take the deposition upon oral examination of Metro Management Development, Inc., by an agent, servant and/or employee having knowledge of the facts and circumstances regarding the above-referenced matter, before a notary public or other officer authorized to administer oaths at 10:00 a.m. on September 10, 2013 at the offices of Mayer Brown LLP, 1675 Broadway, New York, New York 10019, and will continue until completed.

DATED: Garden City, New York
August 20, 2013

Yours, etc.,

L'ABBATE, BALKAN, COLAVITA
& CONTINI, L.L.P.

By:


NICOLE FEDER
Attorney for Defendant
Douglaslaston Realty Management
Corporation
1001 Franklin Avenue, 3rd Floor
Garden City, New York 11530
(516) 294-8844

TO: James A. Rose, Esq.
Sanjay V. Nair, Esq.
Certilman Balin Adler & Hyman, LLP
Attorneys for Defendant
Avax Property Associates, LLC
Financial Center at Mitchel Field
90 Merrick Avenue
East Meadow, New York 11554
516-296-7000

Charles S. Korschun, Esq.
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1675 Broadway
New York, New York 10019
(212) 506-2528

Melissa L. Morais, Esq.
Wingate Spadafora Schwartzberg, LLP
Attorneys for Defendant
Metro Management Development, Inc. and
59-11 Queens Boulevard Owners, Inc.
45 Broadway, 19th Floor
New York, New York 10006
(212) 221-6900

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

MARIA E. CUCCURULLO, being duly sworn, deposes and says that deponent is not a party to the within action, is over 18 years of age and resides in Suffolk County, New York.

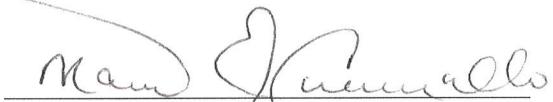
That on the 20th day of August, 2013, deponent served the within *Notice of Deposition of Metro Management* upon:

James A. Rose, Esq.
Sanjay V. Nair, Esq.
Certilman Balin Adler & Hyman, LLP
Attorneys for Defendant
Avax Property Associates, LLC
Financial Center at Mitchel Field
90 Merrick Avenue
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Melissa L. Morais, Esq.
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New York, New York 10006

Charles S. Korschun, Esq.
Mayer Brown LLP
Attorneys for Plaintiff
1675 Broadway
New York, New York 10019

the attorney(s) for the respective parties in this action, at the above address(es) designated by said attorney(s) for that purpose, via ECF and by depositing same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.


MARIA E. CUCCURULLO

Sworn to before me this
20th day of August, 2013.



Notary Public

NICOLE FEDER
Notary Public, State of New York
No. 02FE6111274
Qualified in Queens County
Commission Expires June 7, 2016